RECEIVED CENTRAL FAX CENTER SEP 2 8 2005

## **OFFICIAL**

## CARDINAL LAW GROUP

1603 Orrington Avenue/Suite 2000 Evanston, Illinois 60201 Telephone 847 – 905 – 7111 Facsimile 847 – 905 – 7113

Date:

**SEPTEMBER 28, 2005** 

To:

EXAMINER LE, DIEU-MINH T.

U.S. PATENT AND TRADEMARK OFFICE

Fax #:

(571) 273-8300

From:

FRANK C. NICHOLAS

Phone #:

(847) 424-2521

Client/Matter No.:

AUS920010643US1 (9000/54)

# of Pages:

12

(including cover sheet)

IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE, PLEASE CALL <u>847/905-7111, Ext. 112</u> AND ASK FOR JENNIFER CRUZ.

THIS MESSAGE IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IT MAY CONTAIN PRIVILEGED, CONFIDENTIAL, ATTORNEY WORK PRODUCT, OR TRADE SECRET INFORMATION WHICH IS EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF YOU ARE NOT THE INTENDED RECIPIENT, OR AN EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRUCTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE (AND ALL COPIES) TO US BY MAIL AT THE ABOVE ADDRESS. WE WILL REIMBURSE YOU FOR POSTAGE.

PTO/SA/21 (12-W7) Approved on use concept scident. Dated 00051-0001. Petern and Tradement Once II 5 DEPARTMENT OF COMMERCE.
The true Paper Requesion was defined in the period of tradement of definitions of department of the One to the One

TRANSMITTAL					·		Attorney Docket No.			AUS920010643US1 (9000/54)					
V =						÷	Application Number		10/042,503 RECEIVI					ED	
FORM							Fiting Date			JANUARY 9, 2002 CENTRAL FAX					ENTER
							First Named Inventor							SEP 28	
(Qrust team, write econeanoque) via tot pezu ad 01)							Group Art Unit			2114				251 F A	Peage
							Examinei	LE, DIEU-MINH T.					]		
ENCLOSURES (check all that apply)															
×	Response to C					Assignment Papers				Appeal Communication to Board of Appeals and Interferences					1
	Atter F					Dra	Drawings:					C-0 0			
	☐ Affigavı	Atfigavita/geciaration(s)					After Allowance Communication to			Арреаl Соптильсатол то Group (Арреаl Notice, Bnef, Reply Bnef)					
		— Pinauvisaeciaiana (a)				Req	equest for Construed Examination RCE) Transmittal				Proprietary Information				
	Status Letter					To C	Convert a visional Application		Post Caro Receipt						
	One-Month Petition for Extension of Time Request (dup)					Cha	inge of Corresponds		Agaitonal Englosure(s) (please laentify below).						
	Express Abandonment Request					Terr	rminal Disclaimer								
	Supplemental Information Disclosure Statement, PTO-1449, art					Express Abandonment Under 37 CFR 1 138									
	Certified Copy of Priority Document(s)					Request of Refund									
Response to Missing Parts/ Incomplete Application					Ø	crec	The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. <u>09-0447</u> (IBM Corporation). A duplicate copy of this sneet is enclosed.								
					⊠	I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is amely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 09-0447(IBM Corporation). A duplicate copy of this sheet is enclosed									
				·	· · · · ·		CALCULATION OF		EE	Entity			Large	Entity	-
	Claims After Previo				Present Extra		Rate	Add.	Add'i Fee		Raje	Add1 Fee			
Total			Minus				0		_ x \$25		0		× \$50=		]
Indep.	Мілыя		•				0		× \$100:		0		x \$200=		
First Presentation of Multiple Dep Claim								+\$180=	•	_		<b>+ \$360=</b>			
total add1 fee \$ 0 total add1 fee \$ 0								4							
FRANK C NICHOLAS  Or Registration No. 33,983 CARDINAL LAW GROUP 1603 Omngton Avenue, Suite 2000 Evaniston, IL. 60201															
Signature Chil This h											Date September 28, 2005				
CERTIFICATE OF FACSIMILE							1								
thereby clinity that this correspondence is being transmitted by facsimile to (571) 273-8300 to the United States Patent and Trademark Office on this date:							1								
Signature FRANK C. NICHOLAS (33,983)  Date: September 28, 2005															

Signature

FRANK C. NICHOLAS (33,983)

T-888 P.03/12 F-623

PTOSDEZ (1287) AND OTHER HE MANUAL THE PERIOD COME DESTINATE PAINTER HIS TRADITIES LORGE U.S. DEPARTMENT OF COMMERCE, F The Proper Response value 1935, BU LENGERS HE RESPONDE OF REQUIRE OF A CHROSON WITHHROWN WHERE A GREEK OF A PROPERTY A PROPERTY OF THE CANADA HEREIGNESS. AUS920010643US1 (9000/54) Attorney Docket No. TRANSMITTAL REGUIVED Application Number 10/042 503 **CENTRAL FAX CENTER FORM** JANUARY 9, 2002 Filing Date <del>SEP 1</del> 8 2005 First Named Inventor DANIEL S LOWEN (IC Or. pucator all correspondence after while hing) Group Art Unit LE, DIEU-MINH T Examinei ENCLOSURES (check all that apply) Appeal Communication to Board of Assignment Papers Response to Office Action  $\boxtimes$ Appeals and Interferences Dated July 27, 2005 After Final Drawings. Appeal Communication to Group (Appear Notice, Brief, Reply Brief) After Allowance Communication to Attidavits/dectaration(s) **Group** Request for Continued Examination Proprietary Information (RCE) Transmittal To Conven a Status Letter Post Caro Receipt Provisional Application Additional Enclosure(s) One-Month Petition for Extension of Change of Correspondence Address (please identify below) Time Request (dup) Express Abandonment Request Terminal Disclaimer Supplemental Internistion Disclosure Express Abandonment Under Statement, PTO-1449, an 37 CFR 1 138 Certified Copy of Priority Document(s) Request of Retuna Response to Missing Partal incomplete The Commissioner is necesy authorized to charge any tees which may be required, or credit any overpayment, to Deposit Account No. 09-0447 (IBM Corporation). A Application duplicate copy of this sheet is englosed I hereby petition under 37 CFR § 1 136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No 09-0447(IBM Corporation). A duplicate copy of this sheet is enclosed CALCULATION OF FEE Small Entity Large Entity Highest No Of Add'I Claims After Previously Present Add1 Rate Fee Rate Amendment Paid For Extra ٥ x \$50= Tota Minus ٥ x \$25= Manus 0 x \$100= 0 x \$200= **- \$360=** First Presentation of Multiple Dep Claim +\$180= \$ 0 total add't fee \$0 total add'i fee SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT FRANK C. NICHOLAS Furn Registration No. 33,983 CARDINAL LAW GROUP emen teubryioni 1603 Orrington Avenue, Suite 2000 Evansion IL 60201 September 28, 2005 Date Signature CERTIFICATE OF FACSIMILE I hereby certify that this correspondence is being transmitted by facsimile to (571) 273-8300 September 28, 2005 to the United States Patent and Trademark Office on this date-Seprember 28, 2005

Date

CERTIFICATE OF FACSIMILE I hereby certify that this correspondence is being transmitted Via facsimile to (571) 273-8300 to the United States Patent and Trademark Office on September 28, 2005 (Date of Transmission)	RECEIVED CENTRAL FAX CENTER				
FRANK C NICHOLAS (33,983)	OF WINDER WAY CENTER				
Name of applicant, assigned or registered representative	SEP 2 8 2005				
- Palleng &	·				
September 28, 2005					
Date of Signature					

PATENT Case No. AUS920010643US1 (9000/54)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

)
) )
) Examiner: LE, DIEU-MINH T.
) Group Art Unit: 2114
) )
)

## **RESPONSE TO OFFICE ACTION DATED JULY 27, 2005**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This is a response to an Office Action dated July 27, 2004.